

IN THE CLAIMS:

Claims 1 through 15 were previously cancelled. Claims 16 and 20 have been amended herein. All of the pending claims are presented below. This listing of claims will replace all prior versions and listings of claims in the application. Please enter these claims as amended.

Listing of Claims:

1.-15. (Cancelled)

16. (Currently amended) A method for forming an overlay target including a series of raised lines, the method comprising:
providing a substrate having an upper surface;
depositing a resist layer over the substrate;
patterning the resist layer to include a resist pattern defining the overlay target including a series of raised lines;
etching the substrate to form the overlay target including the resist pattern with the series of raised lines; and
depositing a ~~second~~ layer of material having an upper surface thereof substantially over a portion of the upper surface of the substrate allowing the operation of a registration tool regarding the series of raised lines of the overlay target and not substantially conforming to a topography of the overlay target, the upper surface being substantially free, as deposited, of depressions in the portion thereof covering the overlay target in the substrate, the lower surface of the second layer of material being contiguous with at least a portion of the overlay target.

17. (Previously presented) The method of claim 16, wherein the providing a substrate comprises providing a semiconductor substrate selected from a group consisting of silicon, gallium, and sapphire substrates.

18. (Previously presented) The method of claim 17, wherein the depositing a resist layer over the substrate comprises depositing a resist layer directly over the semiconductor substrate selected from the group consisting of silicon, gallium, and sapphire substrates.

19. (Previously presented) The method of claim 16, wherein the providing a substrate includes providing a semiconductor substrate having a top surface, a bottom surface, and a material layer deposited over the top surface.

20. (Currently amended) The method of claim 19, wherein the depositing a resist layer over ~~said~~ the substrate comprises depositing a resist layer over the material layer and the etching the substrate to form the overlay target including a series of raised lines comprises etching the material layer.

21. (Previously presented) The method of claim 16, wherein the etching comprises wet etching the substrate to form the overlay target including the resist pattern with the series of raised lines.